

3. On April 12, 2021, this Court entered an order abating this case until May 24, 2021, upon Plaintiff's request. Per the order, upon expiration of the abatement period, the case would be reinstated automatically without further order from the Court. (ECF No. 25.)

4. The abatement period has expired and now this case is considered automatically reinstated. Default has been entered against Defendants, but Plaintiff's Motion for Default Judgment remains pending adjudication from this Court. (ECF Doc. No. 27.) This matter is currently set for an initial scheduling conference on August 11, 2021 (ECF Doc. No. 28.)

5. In light of Defendants' failure to appear, Plaintiff is not able to confer with them or prepare a Joint Discovery Plan. Further, if the Court eventually grants Plaintiff's Motion for Default Judgment, the need for a Joint Discovery Plan will be moot.

6. Accordingly, for the reasons stated above and since Plaintiff's Motion for Default Judgment against Defendants is still currently under consideration of the Court, Plaintiff requests that the Court cancel the referenced setting until the Court evaluates Plaintiff's request for default.

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests that the Court cancel the initial scheduling conference scheduled for August 11, 2021 and to grant Plaintiff any other relief at law or in equity to which Plaintiff is entitled.

Respectfully submitted,

By: /s/ Vivian N. Lopez

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CERTIFICATE OF CONFERENCE

The undersigned certifies that no Defendants have filed an answer and/or otherwise appeared in this action. Therefore, a certificate of conference is not necessary.

/s/ Vivian N. Lopez
VIVIAN N. LOPEZ

CERTIFICATE OF SERVICE

The undersigned certifies that on August 4, 2021 a true and correct copy of the foregoing document was delivered to the following Defendants in the manner described below:

Via U.S. Mail
Jessica Kelly
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Clayton Kelly
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/s/ Vivian N. Lopez
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